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Atty. Dkt. No. 044499-0175

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kiyohiko GONDO et al.

Title: PHOTOELECTRIC SENSOR

Appl. No.: 10/657,711

Filing Date: 09/09/2003

Examiner: Que Tan Le

Art Unit: 2878

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding Japanese application. An English translation of the foreign-language document is not readily available; however, the absence of such translation does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP §609). An English language abstract is attached.

#### STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a

check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: August 25, 2004

FOLEY & LARDNER LLP Customer Number: 22428 Telephone: (202) 672-5485 Facsimile: (202) 672-5399 William T. Ellis Attorney for Applicant Registration No. 26,874

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0551-0031
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> Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT

number.

Date Submitted: August 25, 2004

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ı	Application Number	10/657,711
ı	Filing Date	09/09/2003 AUS 2 5 2004
1	First Named Inventor	Kiyohiko GONDO 3
1	Group Art Unit	2878
ı	Examiner Name	Que Tan Le
	Attorney Docket Number	044499-0175

			U.S. PATENT DOCUMENTS		
	U.S. Patent Document		Name of Patentee or Applicant of	Date of Publication of	Pages, Columns, Lines, Where Relevant
Cite No.1	Number	Kind Code <sup>2</sup> (# known)	Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear

					OREIGN PATENT DOCUMEN	Date of Publication of	Pages, Columns, Lines,	1
Examiner Initials*	Cite No.1	Fo Office <sup>3</sup>	reign Patent D	Nocument Kind Code <sup>5</sup>	Name of Patentee or Applicant of Cited Documents	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	7
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NON PATENT LITERATURE DOCUMENTS						
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Examiner Signature		Date Considered	
Signature	- 1	 Draw line through citation if	not in conform

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

\*Unique citation designation number: \*See attached Kinds of U.S. Patent Documents. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3.) \*For Japanese patent document in deficient of the year of the Emperor must procede the serial number of the patent document. Standard ST.3. \*For Japanese patent document is deficient of the patent document by the appropriate symbols as indicated on the document under VIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language Translation is attached.

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